



US EPA, Region 9
NPDES/DMR, ENF-4-1
75 Hawthorne Street
San Francisco, CA 94105-3901
Attn: Colby Tucker

March 20, 2018

RE: Administrative Order on Consent – Docket No. CWA-309-2018-000X

Dear Mr. Tucker,

Beta Operating Company LLC dba Beta Offshore is in receipt of the draft Administrative Order on Consent (AOC) sent via email on March 13, 2018. The following are recommendations for updates, clarifications and changes to the draft AOC. Words with strikethrough are replaced with inserts in italic font.

SECTION III. FINDINGS OF FACT AND DETERMINATIONS OF LAW

15. Respondent *and its predecessors* ~~has~~ *have* been engaged in the production of crude oil at the Facility *since 1980*. Respondent's operations at the Facility fall within activities classified under SIC Code 1311 Crude Petroleum and Natural Gas and is subject to the regulatory requirement of the Offshore Subcategory of the Oil and Gas Extraction Point Source Category under 40 C.F.R. Part 435, subpart A.

17. Platform Elly treats produced water (Discharge 002 under the General Permit) through a five-step process. Produced water flows through a free-water knockout, heater treater, ~~and a skim tank, and a~~ flotation cell (WEMCO model 120) which progressively enhances oil/water separation. From the WEMCO, the produced water then flows *through sand filters* to the Filtered Produced Water Surge Tank, tank S-03. Filtered produced water is then pumped to injection wells, but when injection pumps fail and tank S-03 exceeds capacity, produced water flows to *a final separation vessel called the "Emergency Sump", which is a 243 barrel vessel with an open-bottom to the Pacific Ocean.* ~~the Pacific Ocean through an open-bottomed vessel called the "Emergency Sump"~~. Such a conveyance is a "point source" within the meaning of CWA § 502(14), 33 U.S.C § 1362(14).

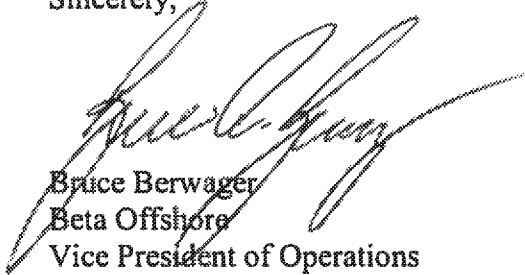
19. When the Platform Elly's fire control system is active, the platform discharges fire control system water (Discharge 008). Fire control system water originates as seawater pumped through the main seawater intake and is routed through the fire control system. If this water is discharged on deck during testing, then it is comingled with deck drainage *which is collected into a sump tank.*

29. By discharging wastewater and failing to comply with the General Permit, Respondent has violated ~~and continues to violate~~ CWA §§ 301(a) and 402, 33 U.S.C. §§ 1311(a) and 1342.

Thank you for the opportunity to comment on the draft AOC. Beta Offshore is dedicated to being a responsible offshore operator, and looks forward to fully complete and implement the recommendations in the AOC.

Please feel free to contact me if you have any question or require further information.

Sincerely,



Bruce Berwager
Beta Offshore
Vice President of Operations

cc: Eric Willis – General Counsel